

106TH CONGRESS
1ST SESSION

S. 1534

To reauthorize the Coastal Zone Management Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 1999

Ms. SNOWE (for herself and Mr. MCCAIN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To reauthorize the Coastal Zone Management Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Coastal Zone Manage-
5 ment Act of 1999”.

6 **SEC. 2. AMENDMENT OF COASTAL ZONE MANAGEMENT**
7 **ACT.**

8 Except as otherwise expressly provided, whenever in
9 this Act an amendment or repeal is expressed in terms
10 of an amendment to, or repeal of, a section or other provi-

1 sion, the reference shall be considered to be made to a
 2 section or other provision of the Coastal Zone Manage-
 3 ment Act of 1972 (16 U.S.C. 1451 et seq.).

4 **SEC. 3. FINDINGS.**

5 Section 302 (16 U.S.C. 1451) is amended—

6 (1) by redesignating paragraphs (a) through
 7 (m) as paragraphs (1) through (13);

8 (2) by inserting “ports,” in paragraph (3) (as
 9 so redesignated) after “fossil fuels,”;

10 (3) by inserting “including coastal waters and
 11 wetlands,” in paragraph (4) (as so redesignated)
 12 after “zone,”;

13 (4) by striking “therein,” in paragraph (4) (as
 14 so redesignated) and inserting “dependent on that
 15 habitat,”;

16 (5) by striking “well-being” in paragraph (5)
 17 (as so redesignated) and inserting “quality of life”;

18 (6) by striking paragraph (11) (as so redesign-
 19 ated) and inserting the following:

20 “(11) Land and water uses in the coastal zone
 21 and coastal watersheds may significantly affect the
 22 quality of coastal waters and habitats, and efforts to
 23 control coastal water pollution from activities in
 24 these areas must be improved;” and

25 (7) by adding at the end thereof the following:

1 “(14) There is a need to enhance cooperation
 2 and coordination among States and local commu-
 3 nities, to encourage local community-based solutions
 4 that address the impacts and pressures on coastal
 5 resources and on public facilities and public service
 6 caused by continued coastal demands, and to in-
 7 crease State and local capacity to identify public in-
 8 frastructure and open space needs and develop and
 9 implement plans which provide for sustainable
 10 growth, resource protection and community revital-
 11 ization.”.

12 **SEC. 4. POLICY.**

13 Section 303 (16 U.S.C. 1452) is amended—

14 (1) by striking “the States” in paragraph (2)
 15 and inserting “State and local governments”;

16 (2) by striking “waters,” each place it appears
 17 in paragraph (2)(C) and inserting “waters and habi-
 18 tats,”;

19 (3) by striking “agencies and State and wildlife
 20 agencies; and” in paragraph (2)(J) and inserting
 21 “and wildlife management; and”;

22 (4) by inserting “other countries,” after “agen-
 23 cies,” in paragraph (5);

24 (5) by striking “and” at the end of paragraph
 25 (5);

1 (6) by striking “zone.” in paragraph (6) and in-
 2 serting “zone;”; and

3 (7) by adding at the end thereof the following:

4 “(7) to create and use a National Estuarine
 5 Research Reserve System as a Federal, State, and
 6 community partnership to support and enhance
 7 coastal management and stewardship; and

8 “(8) to encourage the development, application,
 9 and transfer of innovative coastal and estuarine en-
 10 vironmental technologies and techniques for the
 11 long-term conservation of coastal ecosystems.”.

12 **SEC. 5. CHANGES IN DEFINITIONS.**

13 Section 304 (16 U.S.C. 1453) is amended—

14 (1) by striking “and the Trust Territories of
 15 the Pacific Islands,” in paragraph (4);

16 (2) by striking paragraph (8) and inserting the
 17 following:

18 “(8) The term ‘estuarine reserve’ means a
 19 coastal protected area which may include any part
 20 or all of an estuary and any island, transitional area,
 21 and upland in, adjoining, or adjacent to the estuary,
 22 and which constitutes to the extent feasible a nat-
 23 ural unit, established to provide long-term opportu-
 24 nities for conducting scientific studies and edu-
 25 cational and training programs that improve the un-

1 derstanding, stewardship, and management of estu-
 2 aries.”; and

3 (3) by adding at the end thereof the following:

4 “(19) The term ‘coastal nonpoint pollution con-
 5 trol plan’ means a plan submitted by a coastal state
 6 to the Secretary under section 306(d)(16).”.

7 **SEC. 6. REAUTHORIZATION OF MANAGEMENT PROGRAM**
 8 **DEVELOPMENT GRANTS.**

9 Section 305(a) (16 U.S.C. 1454(a)) is amended by
 10 striking “1997, 1998, and 1999,” and inserting “2000,
 11 2001, 2002, 2003, and 2004,”.

12 **SEC. 7. REAUTHORIZATION OF ADMINISTRATIVE GRANTS.**

13 (a) PURPOSES.—Section 306(a) (16 U.S.C. 1455(a))
 14 is amended by inserting “including developing and imple-
 15 menting coastal nonpoint pollution control program com-
 16 ponents,” after “program,”.

17 (b) ACQUISITION CRITERIA.—Section 306(d)(10)(B)
 18 (16 U.S.C. 1455(d)(10)(B)) is amended by striking “less
 19 than fee simple” and inserting “other”.

20 **SEC. 8. COASTAL RESOURCE IMPROVEMENT PROGRAM.**

21 Section 306A (16 U.S.C. 1455a) is amended—

22 (1) by adding at the end of subsection (a) the
 23 following:

24 “(3) The term ‘qualified local entity’ means—

25 “(A) any local government;

1 “(B) any areawide agency referred to in
 2 section 204(a)(1) of the Demonstration Cities
 3 and Metropolitan Development Act of 1966 (42
 4 U.S.C. 3334 (a)(1));

5 “(C) any regional agency;

6 “(D) any interstate agency; and

7 “(E) any reserve established under section
 8 315.”;

9 (2) by inserting “or other important coastal
 10 habitats” in subsection (b)(1) after “306(d)(9)”;

11 (3) by inserting “or historic” in subsection
 12 (b)(2) after “urban”;

13 (4) by adding at the end of subsection (b) the
 14 following:

15 “(5) The coordination and implementation of
 16 approved coastal nonpoint pollution control plans.

17 “(6) The preservation, restoration, enhance-
 18 ment or creation of coastal habitats.”;

19 (5) by striking “and” after the semicolon in
 20 subsection (c)(2)(D);

21 (6) by striking “section.” in subsection
 22 (c)(2)(E) and inserting “section ;”;

23 (7) by adding at the end of subsection (c)(2)
 24 the following:

1 “(F) work, resources, or technical support
2 necessary to preserve, restore, enhance, or cre-
3 ate coastal habitats; and

4 “(G) the coordination and implementation
5 of approved coastal nonpoint pollution control
6 plans.”; and

7 (8) by striking subsections (d), (e), and (f) and
8 inserting after subsection (c) the following:

9 “(d) SOURCE OF FEDERAL GRANTS; STATE MATCH-
10 ING CONTRIBUTIONS.—

11 “(1) IN GENERAL.—If a coastal state chooses
12 to fund a project under this section, then—

13 “(A) it shall submit to the Secretary a
14 combined application for grants under this sec-
15 tion and section 306;

16 “(B) it shall match the combined amount
17 of such grants in the ratio required by section
18 306(a) for grants under that section; and

19 “(C) the Federal funding for the project
20 shall be a portion of that State’s annual alloca-
21 tion under section 306(a).

22 “(2) USE OF FUNDS.—Grants provided under
23 this section may be used to pay a coastal state’s
24 share of costs required under any other Federal pro-

1 gram that is consistent with the purposes of this
2 section.

3 “(e) ALLOCATION OF GRANTS TO QUALIFIED LOCAL
4 ENTITY.—With the approval of the Secretary, the eligible
5 coastal State may allocate to a qualified local entity a por-
6 tion of any grant made under this section for the purpose
7 of carrying out this section; except that such an allocation
8 shall not relieve that State of the responsibility for ensur-
9 ing that any funds so allocated are applied in furtherance
10 of the State’s approved management program.

11 “(f) ASSISTANCE.—The Secretary shall assist eligible
12 coastal States in identifying and obtaining from other
13 Federal agencies technical and financial assistance in
14 achieving the objectives set forth in subsection (b).”.

15 **SEC. 9. COASTAL ZONE MANAGEMENT FUND.**

16 (a) TREATMENT OF LOAN REPAYMENTS.—Section
17 308(a)(2) (16 U.S.C. 1456a(a)(2)) is amended to read as
18 follows:

19 “(2) Loan repayments made under this
20 subsection—

21 “(A) shall be retained by the Secretary and
22 deposited into the Coastal Zone Management
23 Fund established under subsection (b); and

24 “(B) subject to amounts provided in Ap-
25 propriations Acts, shall be available to the Sec-

1 retary for purposes of this title and transferred
 2 to the Operations, Research, and Facilities ac-
 3 count of the National Oceanic and Atmospheric
 4 Administration to offset the costs of imple-
 5 menting this title.”.

6 (b) USE OF AMOUNTS IN FUND.—Section 308(b) (16
 7 U.S.C. 1456a(b)) is amended by striking paragraphs (2)
 8 and (3) and inserting the following:

9 “(2) Subject to Appropriation Acts, amounts in
 10 the Fund shall be available to the Secretary to carry
 11 out the provisions of this Act.”.

12 **SEC. 10. COASTAL ZONE ENHANCEMENT GRANTS.**

13 Section 309 (16 U.S.C. 1456b) is amended—

14 (1) by striking subsection (a)(1) and inserting
 15 the following:

16 “(1) Protection, restoration, enhancement, or
 17 creation of coastal habitats, including wetlands,
 18 coral reefs, marshes, and barrier islands.”;

19 (2) by inserting “and removal” after “entry” in
 20 subsection (a)(4);

21 (3) by striking “on various individual uses or
 22 activities on resources, such as coastal wetlands and
 23 fishery resources.” in subsection (a)(5) and inserting
 24 “of various individual uses or activities on coastal

1 waters, habitats, and resources, including sources of
2 polluted runoff.”;

3 (4) by adding at the end of subsection (a) the
4 following:

5 “(10) Development and enhancement of coastal
6 nonpoint pollution control plan components, includ-
7 ing the satisfaction of conditions placed on such pro-
8 grams as part of the Secretary’s approval of the pro-
9 grams.

10 “(11) Significant emerging coastal issues as
11 identified by coastal states, in consultation with the
12 Secretary and qualified local entities.”;

13 (5) by striking “proposals, taking into account
14 the criteria established by the Secretary under sub-
15 section (d).” in subsection (c) and inserting “pro-
16 posals.”;

17 (6) by striking subsection (d) and redesignating
18 subsection (e) as subsection (d); and

19 (7) by striking subsection (f) and redesignating
20 subsection (g) as subsection (e).

21 **SEC. 11. COASTAL COMMUNITY PROGRAM.**

22 The Act is amended by inserting after section 309
23 the following:

1 **“SEC. 309A. COASTAL COMMUNITY PROGRAM.**

2 “(a) COASTAL COMMUNITY GRANTS.—The Secretary
3 may make grants to any coastal state that is eligible under
4 subsection (b)—

5 “(1) to assist coastal communities in assessing
6 and managing growth, public infrastructure, and
7 open space needs in order to provide for sustainable
8 growth, resource protection and community revital-
9 ization;

10 “(2) to provide management-oriented research
11 and technical assistance in developing and imple-
12 menting community-based growth management and
13 resource protection strategies in qualified local enti-
14 ties;

15 “(3) to fund demonstration projects which have
16 high potential for improving coastal zone manage-
17 ment at the local level; and

18 “(4) to assist in the adoption of plans, strate-
19 gies, policies, or procedures to support local commu-
20 nity-based environmentally-protective solutions to
21 the impacts and pressures on coastal uses and re-
22 sources caused by development and sprawl that
23 will—

24 “(A) revitalize previously developed areas;

1 “(B) undertake conservation activities and
 2 projects in undeveloped and environmentally
 3 sensitive areas;

4 “(C) emphasize water-dependent uses; and

5 “(D) protect coastal waters and habitats.

6 “(b) ELIGIBILITY.—To be eligible for a grant under
 7 this section for a fiscal year, a coastal state shall—

8 “(1) have a management program approved
 9 under section 306; and

10 “(2) in the judgment of the Secretary, be mak-
 11 ing satisfactory progress in activities designed to re-
 12 sult in significant improvement in achieving the
 13 coastal management objectives specified in section
 14 303(2) (A) through (K).

15 “(c) SOURCE OF FEDERAL GRANTS; STATE MATCH-
 16 ING CONTRIBUTIONS.—If a coastal state chooses to fund
 17 a project under this section, then—

18 “(1) it shall submit to the Secretary a combined
 19 application for grants under this section and section
 20 309;

21 “(2) it shall match the amount of the grant
 22 under this section on the basis of a total contribu-
 23 tion of section 306, 306A, and this section so that,
 24 in aggregate, the match is 1:1; and

1 “(3) the Federal funding for the project shall
2 be a portion of that State’s annual allocation under
3 section 309.

4 “(d) ALLOCATION OF GRANTS TO QUALIFIED LOCAL
5 ENTITY.—

6 “(1) IN GENERAL.—With the approval of the
7 Secretary, the eligible coastal State may allocate to
8 a qualified local entity amounts received by the
9 State under this section.

10 “(2) ASSURANCES.—A coastal state shall en-
11 sure that amounts allocated by the State under
12 paragraph (1) are used by the qualified local entity
13 in furtherance of the State’s approved management
14 program, specifically furtherance of the coastal man-
15 agement objectives specified in section 303(2).

16 “(e) ASSISTANCE.—The Secretary shall assist eligible
17 coastal States and qualified local entities in identifying
18 and obtaining from other Federal agencies technical and
19 financial assistance in achieving the objectives set forth
20 in subsection (a).”.

21 **SEC. 12. TECHNICAL ASSISTANCE.**

22 Section 310(b) (16 U.S.C. 1456c(b)) is amended by
23 adding at the end thereof the following:

24 “(4) The Secretary may conduct a program to
25 develop and apply innovative coastal and estuarine

1 environmental technology and methodology through
 2 a cooperative program. The Secretary may make ex-
 3 tramural grants in carrying out the purpose of this
 4 subsection.”.

5 **SEC. 13. PERFORMANCE REVIEW.**

6 Section 312(a) (16 U.S.C. 1458(a)) is amended by
 7 adding “coordinated with National Estuarine Research
 8 Reserves in the State” after “303(2) (A) through (K)”.

9 **SEC. 14. WALTER B. JONES AWARDS.**

10 Section 314 (16 U.S.C. 1461) is amended—

11 (1) by striking “shall, using sums in the Coast-
 12 al Zone Management Fund established under section
 13 308” in subsection (a) and inserting “may, using
 14 sums available under this Act”;

15 (2) by striking “field.” in subsection (a) and in-
 16 serting the following: “field of coastal zone manage-
 17 ment. These awards, to be known as the ‘Walter B.
 18 Jones Awards’, may include—

19 “(1) cash awards in an amount not to exceed
 20 \$5,000 each;

21 “(2) research grants; and

22 “(3) public ceremonies to acknowledge such
 23 awards.”;

1 (3) by striking “shall—” in subsection (b) and
 2 inserting “may select annually if funds are available
 3 under subsection (a)—”; and
 4 (4) by striking subsection (e).

5 **SEC. 15. NATIONAL ESTUARINE RESEARCH RESERVE SYS-**
 6 **TEM.**

7 (a) Section 315(a) (16 U.S.C. 1461(a)) is amended
 8 by striking “consists of—” and inserting “is a network
 9 of areas protected by Federal, State, and community part-
 10 nerships which promotes informed management of the Na-
 11 tion’s estuarine and coastal areas through interconnected
 12 programs in resource stewardship, education and training,
 13 and scientific understanding consisting of—”.

14 (b) Section 315(b)(2)(C) (16 U.S.C. 1461(b)(2)(C))
 15 is amended by striking “public education and interpreta-
 16 tion; and”; and inserting “education, interpretation, train-
 17 ing, and demonstration projects; and”.

18 (c) Section 315(c) (16 U.S.C. 1461(c)) is amended—

19 (1) by striking “RESEARCH” in the subsection
 20 caption and inserting “RESEARCH, EDUCATION, AND
 21 RESOURCE STEWARDSHIP”;

22 (2) by striking “conduct of research” and in-
 23 serting “conduct of research, education, and re-
 24 source stewardship”;

1 (3) by striking “coordinated research” in para-
2 graph (1) and inserting “coordinated research, edu-
3 cation, and resource stewardship”;

4 (4) by striking “research” before “principles”
5 in paragraph (2);

6 (5) by striking “research programs” in para-
7 graph (2) and inserting “research, education, and
8 resource stewardship programs”;

9 (6) by striking “research” before “methodolo-
10 gies” in paragraph (3);

11 (7) by striking “data,” in paragraph (3) and in-
12 serting “information,”;

13 (8) by striking “research” before “results” in
14 paragraph (3);

15 (9) by striking “research purposes;” in para-
16 graph (3) and inserting “research, education, and
17 resource stewardship purposes;”;

18 (10) by striking “research efforts” in para-
19 graph (4) and inserting “research, education, and
20 resource stewardship efforts”;

21 (11) by striking “research” in paragraph (5)
22 and inserting “research, education, and resource
23 stewardship”; and

24 (12) by striking “research” in the last sentence.

1 (d) Section 315(d) (16 U.S.C. 1461(d)) is
2 amended—

3 (1) by striking “ESTUARINE RESEARCH.—” in
4 the subsection caption and inserting “ESTUARINE
5 RESEARCH, EDUCATION, AND RESOURCE STEWARD-
6 SHIP.—”;

7 (2) by striking “research purposes” and insert-
8 ing “research, education, and resource stewardship
9 purposes”;

10 (3) by striking paragraph (1) and inserting the
11 following:

12 “(1) giving reasonable priority to research, edu-
13 cation, and stewardship activities that use the Sys-
14 tem in conducting or supporting activities relating to
15 estuaries; and”;

16 (4) by striking “research.” in paragraph (2)
17 and inserting “research, education, and resource
18 stewardship activities.”; and

19 (5) by adding at the end thereof the following:

20 “(3) establishing partnerships with other Fed-
21 eral and State estuarine management programs to
22 coordinate and collaborate on estuarine research.”.

23 (e) Section 315(e) (16 U.S.C. 1461(e)) is amended—

24 (1) by striking “reserve,” in paragraph
25 (1)(A)(i) and inserting “reserve; and”;

1 (2) by striking “and constructing appropriate
2 reserve facilities, or” in paragraph (1)(A)(ii) and in-
3 serting “including resource stewardship activities
4 and constructing reserve facilities.”;

5 (3) by striking paragraph (1)(A)(iii);

6 (4) by striking paragraph (1)(B) and inserting
7 the following:

8 “(B) to any coastal State or public or pri-
9 vate person for purposes of—

10 “(i) supporting research and moni-
11 toring associated with a national estuarine
12 reserve that are consistent with the re-
13 search guidelines developed under sub-
14 section (c); or

15 “(ii) conducting educational, interpre-
16 tive, or training activities for a national es-
17 tuarine reserve that are consistent with the
18 education guidelines developed under sub-
19 section (c).”;

20 (5) by striking “therein or \$5,000,000, which-
21 ever amount is less.” in paragraph (3)(A) and in-
22 serting “therein. Non-Federal costs associated with
23 the purchase of any lands and waters, or interests
24 therein, which are incorporated into the boundaries

1 of a reserve up to 5 years after the costs are in-
 2 curred, may be used to match the Federal share.”;

3 (6) by striking “and (iii)” in paragraph (3)(B);

4 (7) by striking “paragraph (1)(A)(iii)” in para-
 5 graph (3)(B) and inserting “paragraph (1)(B)”;

6 (8) by striking “entire System.” in paragraph
 7 (3)(B) and inserting “System as a whole.”; and

8 (9) by adding at the end thereof the following:

9 “(4) The Secretary may—

10 “(A) enter into cooperative agreements, fi-
 11 nancial agreements, grants, contracts, or other
 12 agreements with any nonprofit organization, au-
 13 thorizing the organization to solicit donations to
 14 carry out the purposes and policies of this sec-
 15 tion, other than general administration of re-
 16 serves or the System and which are consistent
 17 with the purposes and policies of this section;
 18 and

19 “(B) accept donations of funds and serv-
 20 ices for use in carrying out the purposes and
 21 policies of this section, other than general ad-
 22 ministration of reserves or the System and
 23 which are consistent with the purposes and poli-
 24 cies of this section.

1 Donations accepted under this section shall be con-
 2 sidered as a gift or bequest to or for the use of the
 3 United States for the purpose of carrying out this
 4 section.”.

5 (f) Section 315(f)(1) (16 U.S.C. 1461(f)(1)) is
 6 amended by inserting “coordination with other State pro-
 7 grams established under sections 306 and 309A,” after
 8 “including”.

9 **SEC. 16. COASTAL ZONE MANAGEMENT REPORTS.**

10 Section 316 (16 U.S.C. 1462) is amended—

11 (1) by striking “to the President for trans-
 12 mittal” in subsection (a);

13 (2) by striking “zone and an evaluation of the
 14 effectiveness of financial assistance under section
 15 308 in dealing with such consequences;” and insert
 16 “zone;” in the provision designated as (10) in sub-
 17 section (a);

18 (3) by adding “education,” after the “studies,”
 19 in the provision designated as (12) in subsection (a);

20 (4) by striking “Secretary” in the first sentence
 21 of subsection (c)(1) and inserting “Secretary, in con-
 22 sultation with coastal States, and with the participa-
 23 tion of affected Federal agencies,”;

24 (5) by striking the second sentence of sub-
 25 section (c)(1) and inserting the following: “The Sec-

1 retary, in conducting such a review, shall coordinate
 2 with, and obtain the views of, appropriate Federal
 3 agencies.”;

4 (6) by striking “shall promptly” in subsection
 5 (c)(2) and inserting “shall, within 4 years after the
 6 date of enactment of the Coastal Zone Management
 7 Act of 1999,”; and

8 (7) by adding at the end of subsection (c)(2)
 9 the following: “If sufficient funds and resources are
 10 not available to conduct such a review, the Secretary
 11 shall so notify the Congress.”.

12 **SEC. 17. AUTHORIZATION OF APPROPRIATIONS.**

13 Section 318 (16 U.S.C. 1464) is amended—

14 (1) by striking paragraphs (1) and (2) of sub-
 15 section (a) and inserting the following:

16 “(1) for grants under sections 306 and 306A,—

17 “(A) \$55,500,000 for fiscal year 2000;

18 “(B) \$59,000,000 for fiscal year 2001;

19 “(C) \$62,500,000 for fiscal year 2002;

20 “(D) \$66,000,000 for fiscal year 2003;

21 and

22 “(E) \$69,500,000 for fiscal year 2004;

23 “(2) for grants under sections 309 and 309A,—

24 “(A) \$20,000,000 for fiscal year 2000;

25 “(B) \$21,000,000 for fiscal year 2001;

1 “(C) \$22,000,000 for fiscal year 2002;

2 “(D) \$23,000,000 for fiscal year 2003;

3 and

4 “(E) \$24,000,000 for fiscal year 2004;

5 “(3) for grants under section 315,—

6 “(A) \$7,000,000 for fiscal year 2000;

7 “(B) \$7,500,000 for fiscal year 2001;

8 “(C) \$8,000,000 for fiscal year 2002;

9 “(D) \$8,500,000 for fiscal year 2003; and

10 “(E) \$9,000,000 for fiscal year 2004;

11 “(4) for grants to fund construction projects at
12 estuarine reserves designated under section 315,
13 \$12,000,000 for each of fiscal years 2000, 2001,
14 2002, 2003, and 2004; and

15 “(5) for costs associated with administering this
16 title, \$5,500,000 for fiscal year 2000 and such sums
17 as are necessary for fiscal years 2001–2004.”;

18 (2) by striking “306 or 309.” in subsection (b)
19 and inserting “306.”;

20 (3) by striking “during the fiscal year, or dur-
21 ing the second fiscal year after the fiscal year, for
22 which” in subsection (c) and inserting “within 3
23 years from when”;

24 (4) by striking “under the section for such re-
25 verted amount was originally made available.” in

1 subsection (c) and inserting “to States under this
2 Act.”; and

3 (5) by adding at the end thereof the following:

4 “(d) PURCHASE OF OTHERWISE UNAVAILABLE FED-
5 ERAL PRODUCTS AND SERVICES.—Federal funds allo-
6 cated under this title may be used by grantees to purchase
7 Federal products and services not otherwise available.

8 “(e) RESTRICTION ON USE OF AMOUNTS FOR PRO-
9 GRAM, ADMINISTRATIVE, OR OVERHEAD COSTS.—Except
10 for funds appropriated under subsection (a)(5), amounts
11 appropriated under this section shall be available only for
12 grants to States and shall not be available for other pro-
13 gram, administrative, or overhead costs of the National
14 Oceanic and Atmospheric Administration or the Depart-
15 ment of Commerce.”.

○